

**Class 1 Permit Modification Notification**

**Update Contingency Plan**

**Waste Isolation Pilot Plant  
Carlsbad, New Mexico**

**WIPP HWFP #NM4890139088-TSDF**

**March 2006**

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## **Acronyms and Abbreviations**

CBFO	Carlsbad Field Office
CFR	Code of Federal Regulations
DOE	Department of Energy
HWFP	Hazardous Waste Facility Permit
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
PMN	Permit Modification Notification
RCRA	Resource Conservation and Recovery Act
TSDf	Treatment, Storage and Disposal Facility
WIPP	Waste Isolation Pilot Plant
WTS	Washington TRU Solutions LLC

## Overview of the Permit Modification Notification

This document contains a Class 1 Permit Modification Notification (**PMN**) to the Hazardous Waste Facility Permit (**HWFP**) at the Waste Isolation Pilot Plant (**WIPP**), Permit Number NM4890139088-TSDF hereinafter referred to as the WIPP HWFP.

This PMN is being submitted by the U.S. Department of Energy (**DOE**), Carlsbad Field Office (**CBFO**) and Washington TRU Solutions LLC (**WTS**), collectively referred to as the Permittees, in accordance with the WIPP HWFP, Condition I.B.1 (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 of the Code of Federal Regulations (40 **CFR**) §270.42(a)). The PMN in this document is necessary for the following reasons:

- to update the organizations referenced in the Contingency Plan

This change does not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modifications to the WIPP HWFP and related supporting documents are provided in this PMN. The proposed modification to the text of the WIPP HWFP has been identified using a double underline and revision bar in the right hand margin for added information, and a ~~strikeout~~ font for deleted information. All direct quotations are indicated by italicized text.

## **Attachment A**

### **Description of the Class 1 Permit Modification Notification**

**Table 1. Class 1 Hazardous Waste Facility Permit Modification Notification**

<b>No.</b>	<b>Affected Permit Section</b>	<b>Item</b>	<b>Category</b>	<b>Attachment A Page #</b>
1	Attachment B	Update Contingency Plan	B.6.d	A-1

## Item 1

### **Description:**

Update the Contingency Plan to list the correct agencies with which the Permittees have Memoranda of Understanding (**MOU**) and where the Contingency Plan will be maintained.

### **Basis:**

The change is to correct the names of agencies pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42, Appendix I). Item B.6.d of that appendix is listed as "*Changes in name, address or phone number of coordinators or other persons or agencies identified in the plan*". This modification is, therefore, a Class 1 notification.

### **Discussion:**

The Permittees have MOUs with several mines in the area to ensure that two mine rescue teams are available in the event of a mine disaster. The Contingency Plan now indicates those MOUs are with Mississippi Potash Inc. and IMC Kalium. The names of these companies has been changed and this modification will revise the Contingency Plan to indicate the correct corporate names.

The Permittees also have a joint powers agreement with several entities to provide for the coordination of emergency plans. Previously it was necessary to have a joint powers agreement with the New Mexico Energy, Minerals and Natural Resources Department (EMNRD) which allowed the use of Living Desert Zoo and Gardens State Park as an alternate Emergency Operations Center (EOC). The Skeen Whitlock building has now been designated as the alternate EOC and therefore the EMNRD no longer requires a current copy of the Contingency Plan and their name has been removed from those that will receive a copy of the Plan.

The MOUs referenced in the Contingency Plan also require updates to reflect current names of organizations (e.g., the Lea Regional Hospital is now known as the Lea Regional Medical Center and Carlsbad Ambulance Service is now part of the Carlsbad Fire Department). The actual MOUs have been updated with the correct information.

## Revised Permit Text:

### a.1. Attachment F

#### F-6 Coordination Agreements

The Permittees have established MOUs with off-site emergency response agencies for firefighting, medical assistance, hazardous materials response, and law enforcement. In the event that on-site response resources are unable to provide all the needed response actions during either a medical, fire, hazardous materials, or security emergency, the RCRA Emergency Coordinator will notify appropriate off-site response agencies and request assistance. Once on site, off-site emergency response agency personnel will be under the direction of the RCRA Emergency Coordinator. The MOUs with off-site cooperating agencies are available from the Permittees. A listing and description of the MOUs with state and local agencies and mining operations in the vicinity of the WIPP facility, as required by 20.4.1.500 NMAC (incorporating 40 CFR §264.37 and §264.52(c)), are:

- An agreement among the Permittees, ~~Mississippi Potash Inc. and IMC Kalium~~ Intrepid Potash NM LLC and Mosaic Potash Carlsbad Inc., provides for the mutual aid and assistance, in the form of MRTs, in the event of a mine disaster or other circumstance at either of the two facilities. This provision ensures that the WIPP MOC will have two MRTs available at all times when miners are underground.
- A memorandum of agreement between the City of Carlsbad, New Mexico, and the WIPP MOC for ambulance service assistance provides that, upon notification by the WIPP MOC, the Carlsbad Fire Department/Ambulance Service will be dispatched from Carlsbad toward the WIPP site by a designated route and will accept the transfer of patient(s) being transported by the WIPP facility ambulance at the point both ambulances meet. If the patient(s) is not transferrable, the Carlsbad Fire Department/Ambulance Service will provide equipment and personnel to the WIPP facility ambulance, as necessary.
- A MOU between the DOE and the Carlsbad Medical Center ~~Emergency Radiological Treatment Center for the Waste Isolation Pilot Plant~~ provides for the treatment of radiologically contaminated personnel who have incurred injuries beyond the treatment capabilities at the WIPP facility. The DOE will provide transport of the patient(s) to the Carlsbad Medical Center ~~Emergency Radiological Treatment Center~~ for decontamination and medical treatment.



- A MOU between the DOE and the Lea Regional Medical Center Hospital Emergency Radiological Treatment Center for the WIPP provides for the treatment of radiologically contaminated personnel who have incurred injuries beyond the treatment capabilities at the WIPP facility. The DOE will provide transport of the patient(s) to the Lea Regional Medical Center Hospital Emergency Radiological Treatment Center for decontamination and medical treatment.

#### F-9 Location of the Contingency Plan and Plan Revision

The owner/operator of the WIPP facility will ensure that copies of this Contingency Plan are available through the WIPP electronic controlled-document distribution system or in appropriate controlled-document locations throughout the facility, at the alternate Emergency Operations Center and at the Joint Information Center at the Skeen Whitlock Building and are, consequently, available to all emergency personnel and organizations described in Section F-2. In addition, the owner/operator will make copies available to the following outside agencies:

- ~~Mississippi Potash Inc. and IMC Kalium~~ Intrepid Potash NM LLC and Mosaic Potash Carlsbad Inc.
- ~~New Mexico Energy, Minerals, and Natural Resources Department~~
- Carlsbad Fire Department, Carlsbad
- Carlsbad Medical Center, Carlsbad
- Lea Regional Medical Center Hospital, Hobbs
- Otis Fire Department, Otis
- Hobbs Fire Department, Hobbs
- Joel Fire Department, Carlsbad
- BLM, Carlsbad
- New Mexico State Police